

RESOLUTION 2012-03

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, TO ESTABLISH WATER, SEWER AND SANITATION USAGE RATES AND CONNECTION FEES PURSUANT TO THE AUTHORITY SET FORTH IN THE CODE OF THE TOWN OF BERLIN, MARYLAND.

DEFINITIONS

1. **CONNECTION CHARGES** are designed to recoup only the cost of making individual connections from the water or wastewater mains in the street to the property line of an abutting lot and are due and payable at the time a request is made for service. In the case of new construction this fee is due and payable before a "CERTIFICATE OF OCCUPANCY" is issued.
2. **SPECIAL CONNECTION CHARGES** are designed to pay debt service for capital improvements and are due and payable at the time a request is made for service. In the case of new construction this fee is due and payable before a building permit is issued.
3. **EQUIVALENT DWELLING UNIT** – The Equivalent Dwelling Unit (EDU) is the term used to describe the amount of water usage by a typical family during one twenty-four hour period. Maryland Department of the Environment has approved two hundred fifty gallons per day as the amount of water consumption for planning purposes for the Town of Berlin.
4. **READY TO SERVE CHARGE** is a charge based upon the number of EDU(s) applied to all lots or parcels of land (improved or unimproved) located within the Corporate Limits of the Town of Berlin for which water and/or wastewater service is available, but not being used. Worcester County requires the Town to reserve the appropriate number of EDU's for each lot to supply the property with the level of service necessary to meet the need of the intended use of the property as approved by the Town of Berlin Planning and Zoning Commission.

BE IT RESOLVED by the Mayor and Council of the Town of Berlin, Maryland that the following usage rates are hereby established:

1. Pursuant to Section 102-7 of the Code of the Town of Berlin, the Rates, Fees, and Terms and Conditions for water usage are hereby established:

- (a) For metered customers INSIDE of the Town limits the following monthly water rates will apply:

	Billing Effective <u>January 1</u>	Billing Effective <u>January 1</u>	Billing Effective <u>January 1</u>	Billing Effective <u>January 1</u>
Number of gallons	2010	2011	2012	2013
0 - 2000	\$14.00	\$14.98	\$15.28	\$15.59
3000 - 5000	\$15.12	\$16.18	\$16.50	\$16.83
6000 - 8000	\$16.80	\$17.98	\$18.34	\$18.70

Any water consumption over 8,000 gallons per month will be billed at the rate of per thousand gallons.

	Billing Effective <u>January 1</u>	Billing Effective <u>January 1</u>	Billing Effective <u>January 1</u>	Billing Effective <u>January 1</u>
	2010	2011	2012	2013
	\$3.81	\$4.08	\$4.16	\$4.24

- (a) For non-residential metered customers holding an approved allocation agreement exceeding the EDU allocation for the property, the rates will be doubled that represented in the above paragraph as indicated in excess of 8000 gallons per month.
- (b) For metered customers being served OUTSIDE of the Town limits the rates will be doubled that represented in the above paragraph.
- (c) A "READY TO SERVE FEE" will be assessed based upon the number of EDU(s) assigned, to all non-metered parcels with service available within the Corporate Limits. This fee will be 50% of the current minimum water service rate. Should a customer request the removal of an existing water meter, to qualify for this class of service the customer must pay for the actual cost to remove the meter.
- (d) All applications for water service will be in the property owner's name. Billing will be sent to the property owner and the property owner will be responsible for all payments.

(e) Temporary "SHUT OFF" Fee – Requests for shutoffs, except for emergency reasons, must be made on an application form provided by the Town. Non-emergency disconnection requested prior to 4:00 P.M. on a business day will normally be performed the same day. Requests received after 4:00 P.M. will be honored on the next business day. In the case of a requested EMERGENCY DISCONNECT this documentation must be completed by the end of the next working day.

(1) There will be no charge for this service if it is provided during business hours.

(2) There will be a fee in the amount of \$50.00 assessed to provide this service during non-business hours.

(f) "TURN-ON" Fee:

(1) There will be no charge for this service if it is provided during business hours.

(2) There will be a fee in the amount of \$50.00 assessed to provide this service during non-business hours.

(g) **The Property Owner is responsible for water meter damage to include meter and pit unless otherwise determined by the Director of Water and Wastewater to be normal wear and tear.**

If a water meter replacement is required, a "minimum" replacement charge, which includes all normal parts and labor of Two Hundred Fifty dollars (\$250.00) will be assessed.

2. Pursuant to Section 108-8 of the Code of the Town of Berlin, Maryland, the following Fees for water connection charges are hereby established:

(a) The Town will charge all class of customers a "CONNECTION CHARGE" to install the water service. This charge will include all costs necessary to establish the service to include labor and materials.

(b) SINGLE FAMILY DWELLING UNIT – The "SPECIAL CONNECTION CHARGE" to the Municipal Water Distribution System will be three thousand six hundred dollars (\$3,600.00) for each equivalent dwelling units (EDU) for a grandfathered parcel which is currently paying a ready to serve fee and four thousand four hundred twenty five dollars (\$4,425.00)per equivalent dwelling unit (EDU) for all other parcels.

- (c) MULTI-FAMILY DWELLING UNIT - The "SPECIAL CONNECTION CHARGE" to the Municipal Water Distribution System will be three thousand six hundred dollars (\$3,600.00) for each equivalent dwelling unit (EDU) for a grandfathered parcel which is currently paying a ready to serve fee and four thousand four hundred twenty five dollars (\$4,425.00) per equivalent dwelling unit (EDU) for all other parcels. This category includes condominiums, townhouses and apartments. One water meter will be required for each unit unless otherwise approved. Developers will be responsible for the extension of mains, services and installation of meter assemblies within the property. These costs are exclusive of the CONNECTION CHARGE.
- (d) NON DWELLING UNIT – The "SPECIAL CONNECTION CHARGE" to the Municipal Water Distribution System will be determined by the Town of Berlin based upon the anticipated use of the property. The property owner will be assessed three thousand six hundred dollars (\$3,600.00) per equivalent dwelling unit (EDU) for a grandfathered parcel which is currently paying a ready to serve fee and four thousand four hundred twenty five dollars (\$4,425.00) per equivalent dwelling unit (EDU) for all other parcels. This category includes all business and commercial buildings, shopping centers, schools, restaurants and fast food establishments, Laundromats and all other Non Dwelling buildings. One water meter will be required for each unit unless otherwise approved. Developers will be responsible for the extension of mains, services and installation of meter assemblies within the property. These costs are exclusive of the Connection Fees. The Town will monitor water flow to the Non Dwelling unit for a period of twenty four months. If the flow exceeds the established EDU's (two hundred fifty gallons per day per EDU), assigned to the property the Non Dwelling unit will be assessed additional SPECIAL CONNECTION CHARGES as appropriate.
- (e) Although the Town of Berlin as a matter of practice does not extend its water mains beyond the corporate limits, in the event this situation occurs the property owner will be assessed twice the normal connection charge and the special connection charge.
- (f) In the event a customer modifies his property to a greater water use then the current service the Town will re-compute the SPECIAL CONNECTION CHARGES stated above with a credit given for the pre-existing condition.
- (g) In the event the water meter was removed and sewer service abandoned prior to July 1, 2010, a Special Connection fee will not be assessed in the case of a reconnection, subject to sufficient proof of prior connection by the property owner and approval by the Mayor and Council.

3. Pursuant to Section 86-16 of the Code of the Town of Berlin, the Rates, Fees, and Terms and Conditions for sewer usage are hereby established.

- (a) For metered customers INSIDE of the Town limits the following monthly sewer rates shall apply and be effective as of July 1, 2011:

		Billing Effective <u>July 1</u>	Billing Effective <u>July 1</u>	Billing Effective <u>July 1</u>	Billing Effective <u>July 1</u>
Number of Gallons	2010	2011	2012	2013	2014
0 - 2000	\$ 38.34	\$40.26	\$42.27	\$46.60	\$48.93
3000 - 5000	\$ 41.54	\$43.62	\$45.80	\$50.49	\$53.01
6000 - 8000	\$ 45.80	\$48.09	\$50.49	\$55.67	\$58.45

Any wastewater usage over 8,000 gallons per month will be billed effective July 1, 2011 at the rate per thousand gallons.

	Billing Effective <u>July 1</u>	Billing Effective <u>July 1</u>	Billing Effective <u>July 1</u>	Billing Effective <u>July 1</u>
2010	2011	2012	2013	2014
\$5.33	\$5.60	\$5.88	\$6.48	\$6.80


- (b) For metered customers being served OUTSIDE of the Town limits the rates will be doubled that represented in the above paragraph.
- (c) A "READY TO SERVE FEE" will be assessed based upon the number of assigned EDU(s) on all Non-metered parcels within the Corporate limits. This fee will be 50% of the current minimum sewer rate.
- (d) All applications for sewer service will be in the property owner's name. Billing will be sent to the property owner and the property owner will be responsible for all payments.

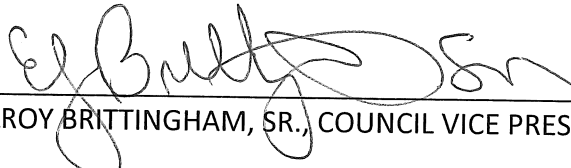
4. Pursuant to Section 86-17 of the Code of the Town of Berlin, the following Fees for sewer CONNECTION CHARGES are hereby established:
- (a) The Town will charge all class of customers a "CONNECTION CHARGE" to install the wastewater service. This charge will include all costs necessary to establish the service to include labor and materials.
 - (b) SINGLE FAMILY DWELLING UNIT – The SPECIAL CONNECTION CHARGE to the Municipal Wastewater Collection System will be eight thousand three hundred thirty eight dollars (\$8,338.00) per EDU for a grandfathered parcel which is currently paying a ready to serve fee and twelve-thousand two hundred sixty one dollars (\$12,261.00) per EDU for all other parcels.
 - (c) MULTI-FAMILY DWELLING UNIT – The SPECIAL CONNECTION CHARGE to the Municipal Wastewater Collection System will be eight thousand three hundred thirty eight dollars (\$8,338.00) per EDU for a grandfathered parcel which is currently paying a ready to serve fee and twelve thousand two hundred sixty one dollars (\$12,261.00) per EDU for all other parcels. This category includes condominiums, townhouses and apartments. Developers will be responsible for the extension of mains, services and clean outs within the property. These costs are exclusive of the CONNECTION CHARGE.
 - (d) NON DWELLING UNIT – The SPECIAL CONNECTION CHARGE to Municipal Wastewater Collection system will be determined by the Town of Berlin based upon the anticipated use of the property. The property owner will be assessed eight thousand three hundred thirty eight dollars (\$8,338.00) per equivalent dwelling unit (EDU) for a grandfathered parcel which is currently paying a ready to serve fee and twelve thousand two hundred sixty one dollars (\$12,261.00) per equivalent dwelling unit (EDU) for all other parcels. This category includes all business and commercial buildings, shopping centers, schools, restaurants and fast food establishments, laundromats and all other Non Dwelling buildings. Developers will be responsible for the extension of mains, services, and clean outs within the property. These costs are exclusive of the CONNECTION CHARGE. The Town will monitor wastewater flow from the Non Dwelling Unit for a period of twenty four months. If the flow exceeds the established EDU's (two hundred fifty gallons per day per EDU), as assigned to the property, the Non Dwelling unit will be assessed additional SPECIAL CONNECTION CHARGES as applicable.


- (e) Although the Town of Berlin as a matter of practice does not extend its Wastewater collection system beyond the corporate limits, in the event this situation occurs, the property owner will be assessed twice the normal SPECIAL CONNECTION CHARGES.
 - (f) In the event a customer modifies his property to a greater waste-water use than the current service the Town will re-compute the SPECIAL CONNECTION CHARGES as stated above with a credit given for the pre-existing condition.
5. Hydrant Permit: Pursuant to Section 102-10 of the Code of the Town of Berlin, the Rate and Terms of hydrant use is hereby established:
- (a) \$50.00 permit application Fee, plus \$15.00 + \$3.81 meter maintenance per 1,000 gallons of usage, plus all terms of the permit applications must be met.
 - (b) A \$200.00 dollar fine, plus all costs of service and/or repair may be imposed upon the property owner for any unauthorized use of and/or tampering with a Town of Berlin water system hydrant, shut-off valve or meter.
6. Swimming Pool: Pursuant to Section 102-9 of the Code of the Town of Berlin, the Rate and term of swimming pools is hereby established:
- Swimming pool owners may request the Town of Berlin reduce their sewer system charge by that amount of metered water used to fill their swimming pool. The Town must be notified prior to the filling of the pool using the customers installed water meter. The sewer charge correction will be made at the current Rate of \$5.00 per 1,000 gallons, and a \$20.00 service fee will normally appear on the next customer's monthly utility bill. This credit is available only once each calendar year unless otherwise approved by the Mayor and Council.
7. Septage Treatment Rates: A "Septage Treatment" Rate of .06 cents per gallon is hereby established effective July 1, 2011. The GENERAL Terms and Conditions of the Town of Berlin's acceptance of "Septage Treatment" are as follows:
- (a) All septage haulers must be approved by the Wastewater Superintendent prior to Berlin acceptance of septage for treatment.
 - (b) All septage haulers must comply to ALL of the Berlin Wastewater Departments DETAILED "Terms and Conditions" for acceptance of septage for treatment.

- (c) The Town of Berlin retains the right to terminate acceptance of septage for treatment upon discovery of any violation of its detailed "Terms and Conditions", and for non-payment of its treatment Fee within 60 days of its invoice date.
 - (d) A Surcharge of \$200.00 per shift is established for the acceptance of septage for treatment outside of normal work hours.
 - (e) A one and one-half percent/month (1.5%) late charge shall be assessed on septage treatment charges more than 30 days in arrears.
8. Pursuant to Berlin Charter Article –X, Section C10-1.F; and Chapter 86-19.B, of the Code of the Town of Berlin, Berlin hereby establishes a "Laboratory Testing Service", as per:
- (a) Establishes a Testing program that meets all State and Federal requirements; and
 - (b) Establishes the Senior Laboratory Technician, Laboratory Technician, and Assistant Laboratory Technician job duties & responsibilities, qualifications, and training standards; and
 - (c) Establishes a list of Berlin's "Laboratory Testing" services and a Fee Schedule for Berlin's Laboratory Tests; and
 - (d) Establishes a set of detailed "Terms and Conditions" for the Administration of the Testing Program; and
 - (e) Berlin retains the right to terminate its "Testing Services" upon violation of any provision of its Testing Program.
9. The Berlin Mayor and Council hereby adopt "Design Parameters, Standard Specifications and Details for Installation of Water & Sewer Utilities and roadway Construction Projects", as more specifically set forth in the booklet compiled by the Consulting Engineering Firm of Davis, Bowen and Friedel, dated January 28, 1991, and revised dated January 1999, and as those Standards may be duly amended from time to time.

ADOPTED THIS 26th DAY OF March, 2012 BY THE MAYOR AND COUNCIL OF THE
TOWN OF BERLIN, MARYLAND BY THE AFFIRMATIVE VOTE OF 4 TO 0 OPPOSED,
WITH 0 ABSTAINING. *1 absent*

BY: 
WILLIAM GEE WILLIAMS, III, MAYOR

BY: 
ELROY BRITTINGHAM, SR., COUNCIL VICE PRESIDENT

ATTEST: 
ANTHONY J. CARSON, JR.
TOWN ADMINISTRATOR